

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark E. Herrmann
Serial No: 10/728,727
Confirmation No: 1722
Filed: December 5, 2003
For: GAME OF CHANCE AND SYSTEM AND METHOD FOR
PLAYING GAMES OF CHANCE
Examiner: Harper, Tramar Yong
Art Unit: 3717

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being electronically filed in accordance with § 1.6(a)(4), on the 1st day of March, 2011.

/Thomas J. McGinnis /
Thomas J. McGinnis, Reg. No. 58,026

Commissioner for Patents

SUMMARY OF TELEPHONE CONFERENCE WITH EXAMINER

Sir:

Please enter the following Summary into the record for the above referenced application.

Summary of Telephone Conference with Examiner

Applicant thanks Examiner Harper for the courtesies extended during the telephone interview conducted on February 17, 2011 with the Applicant's representative Thomas McGinnis. During the telephone interview the patentability of the claims in light of the cited references was discussed. In particular, Applicant's representative asserted that when considering non-obviousness, arguments directed to advantages not disclosed in the specification should be considered in light of MPEP 716.02(f). No agreement regarding the patentability of the claims was reached.

Respectfully submitted,

Mark E. Herrmann, Applicant

By: /Thomas J. McGinnis/

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